

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

	-----X
ANDREA BROOKER and JERMAL D.	:
BROOKER,	:
	:
Plaintiffs,	:
	:
	Civil Action No. 02-CV-2651
v.	:
	:
Judge Clifford Scott Green	
TEXTRON, INC. and TEXTRON, INC.	:
a/k/a d/b/a TEXTRON LYCOMING and	:
TEXTRON LYCOMING and AVCO	:
CORPORATION,	:
	:
Defendants.	:
	-----X

**UNCONTESTED MOTION TO WITHDRAW DEFENDANTS' MOTION TO DISMISS
PLAINTIFFS' COMPLAINT FOR IMPROPER VENUE OR, IN THE ALTERNATIVE,
TO TRANSFER VENUE**

Defendants Textron Inc., Textron Lycoming and Avco Corporation, by and through their attorneys, respectfully request this Court to grant their motion to withdraw their pending Motion to Dismiss Plaintiffs' Complaint for Improper Venue or, In the Alternative, to Transfer Venue Pursuant to 28 U.S.C. § 1406(a). Pursuant to Local Rule 7.1(b), Defendants' counsel certifies that Plaintiffs, through counsel, have agreed not to contest the instant motion.

In lieu of the above motion, Defendants are filing, simultaneously with the filing of the instant motion, Defendants' Motion Pursuant to 28 U.S.C. § 1404(a) to Transfer Venue to the Middle District of Pennsylvania, and supporting memoranda.

Dated: August 15, 2002

Respectfully submitted,

Andrew M. Kramer, Esq.
Sarah B. McClure, Esq.
JONES, DAY, REAVIS & POGUE
51 Louisiana Avenue, N.W.
Washington D.C. 20001-2113
(202) 879-3939 (telephone)
(202) 626-1700 (telecopy)

John E. Iole, Esq. (Pa. I.D. #47768)
JONES, DAY, REAVIS & POGUE
One Mellon Bank Center, 31st Floor
500 Grant Street
Pittsburgh, PA 15219-2502
(412) 391-3939 (telephone)
(412) 394-7959 (telecopy)
Associate Counsel of Record
Pursuant to Local Rule 83.5.2

Attorneys for Defendants

CERTIFICATE OF SERVICE

This certifies that on this day, I served the foregoing **UNCONTESTED MOTION TO WITHDRAW DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' COMPLAINT FOR IMPROPER VENUE OR, IN THE ALTERNATIVE, TO TRANSFER VENUE** on Plaintiffs by forwarding copies to their attorney via first-class mail to:

Harry J. Sher, Esq.
1210 Atlantic Building
260 South Broad Street
Philadelphia, PA 19102

This 20th day of August, 2002.

Nicholas J. Sanservino, Jr.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

-----X
ANDREA BROOKER and JERMAL D. :
BROOKER, :
: :
Plaintiffs, :
: : Civil Action No. 02-CV-26511
v. : :
: : Judge Clifford Scott Green
TEXTRON, INC. and TEXTRON, INC. :
a/k/a d/b/a TEXTRON LYCOMING and :
TEXTRON LYCOMING and AVCO :
CORPORATION, :
: :
Defendants. :
-----X

ORDER

The Court, having considered the Motion to Withdraw Defendants' Motion to Dismiss Plaintiffs' Complaint for Improper Venue or, In the Alternative, to Transfer Venue Pursuant to 28 U.S.C. § 1406(a), ORDERS that the Defendants' Motion to Dismiss Plaintiffs' Complaint for Improper Venue or, In the Alternative, to Transfer Venue Pursuant to 28 U.S.C. § 1406(a) is hereby withdrawn with prejudice.

Dated: _____, 2002

U.S.D.J.